

<p>SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF ERIE</p> <hr/> <p>Cavalry SPV I, LLC, as assignee of Capital One, N.A.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">-against-</p> <p>SCOTT R WASHBURN,</p> <p style="text-align: center;">Defendant(s).</p>	<p>Index No. 800398/2025</p> <p>INFORMATION SUBPOENA WITH RESTRAINING NOTICE</p> <p>Re: SCOTT R WASHBURN</p> <p>Address: 93 Berkley Rd Williamsville NY 14221-7101</p> <p>Social Security No(s): 123-44-4986</p>
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TO: CITIZENS BANK
FOUR GATEWAY CENTER, 444 LIBERTY AVE
PITTSBURGH, PA 15222

WHEREAS, in an action in the SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF ERIE, between Cavalry SPV I, LLC, as assignee of Capital One, N.A., as Plaintiff, and Scott R Washburn as Defendant(s), who are parties named in said action, a judgment was entered on August 8, 2025 in favor of Plaintiff as judgment creditor, and against Defendant(s) as judgment debtor(s), whose last known address is 93 Berkley Rd, Williamsville NY 14221-7101 in the amount of \$3,518.03, including costs, of which \$3,525.22 together with interest, **ACCRUING PURSUANT TO CPLR 5004 AT THE RATE OF TWO (2%) PERCENT PER ANNUM**, thereon from September 18, 2025 remains due and unpaid;

WHEREAS, the person to whom this subpoena is directed, resides; is regularly employed; and/or has an office for the regular transaction of business in person in ERIE COUNTY;

NOW, THEREFORE, WE COMMAND YOU, that you answer in writing under oath, separately and fully, each and every question in the questionnaire accompanying this subpoena, each answer referring to the question to which it responds; and that you return the answers together with the original questions within 7 days after your receipt of the questions and this subpoena;

TAKE NOTICE, that false swearing or failure to comply with this subpoena is punishable as a contempt of court.

I hereby certify that this information subpoena complies with rule 5224 of the Civil Practice Law and Rules and Section 601 of the General Business Law that I have reasonable belief that the party receiving this subpoena has in their possession information about the debtor that will assist the creditor in collecting the judgment.

RESTRAINING NOTICE

WHEREAS, it appears that you are indebted to the judgment debtor, above named, or in the possession or custody of property not capable of delivery in which the judgment creditor has an interest, including, without limitation, the following specified debt and property:
checking and/or savings account held in the name of judgment debtor;

TAKE NOTICE, that pursuant to 5222(b) of the Civil Practice Law and Rules, set forth herein, you are hereby forbidden to make or suffer any sale, assignment or transfer of, or interference with, any such property and/or debt described aforesaid, or pay over or otherwise dispose of any such aforesaid property and/or debt, except as therein provided;

TAKE FURTHER NOTICE, that this notice also covers all property in which the judgment debtor has an interest hereafter coming into your possession, custody, and/or control, and all debts hereafter coming due from you to the judgment debtor;

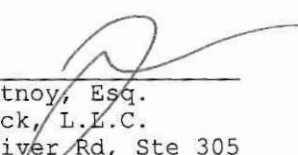
Section 5222(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he has an interest, except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the sheriff or pursuant to an order of the court, until the judgment is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor is effective only if, at the time of service, he owes a debt to the judgment debtor or he is in the possession or custody of property in which he knows or has reason to believe the judgment debtor has an interest, or if the judgment creditor has stated in the notice that a specified debt is owed by the person served to the judgment debtor or that the judgment debtor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor

is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor, shall be subject to the notice except as set forth in subdivisions (h) and (i) of this section. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after notice is served upon him, or until the judgment is satisfied or vacated, whichever event first occurs. A judgment creditor who has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor in an amount equal to twice the amount due on the judgment, the restraining notice is not effective as to other property or money.

NOTICE TO JUDGMENT DEBTOR is annexed hereto.

TAKE FURTHER NOTICE that disobedience of this Restraining Notice is punishable as a contempt of court.

Dated: September 18, 2025



Rachel E. Portnoy, Esq.
Portnoy Schneck, L.L.C.
22 Saw Mill River Rd, Ste 305
Hawthorne, NY 10532
Phone: 888/841-6574
Attorney for Judgment Creditor
File No. L2402289

QUESTIONS AND ANSWERS REGARDING INFORMATION SUBPOENA
STATE OF NEW YORK, COUNTY OF _____:

_____ being duly sworn, deposes, and says: that deponent is the recipient of an Information Subpoena herein and of the original and a copy of questions accompanying Subpoena. The answers set forth below are made from information obtained from the records of the recipient.

Q1. List below your record of ANY account, including but not limited to, checking, savings, certificate of deposit, safe deposit box, Individual Retirement Account, line of credit, loan, and mortgage, in which the Judgment Debtor now has, or did have, an interest, individually, or with others, or under a trade or corporate name:

A1. Title of Account: _____

Account Number: _____

Total Amount on Deposit: _____

Exempt Funds: _____ (Yes/No) If yes, please describe

Total Amount Restrained: _____

Direct Deposit of Wages: _____ (Yes/No) If yes, please describe

If Joint Account, provide name and address of the joint depositor:

Unpaid Balance _____

Application on File: _____ (Yes/No) If yes, please provide and list:

Bank Information: _____

Property/Asset Information: _____

Q2. Describe any asset or collateral you hold, which the Judgment Debtor now has, or did have any interest:

A2. Property: _____

Value: _____

Security or Lien Claimed: _____

Date Recorded/Filed: _____

Q3. State the Judgment Debtor's current:

A3. Home Address: _____

Telephone Number: _____

Social Security Number: _____

Employer: _____

Account Number: L2402289

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF ERIE Cavalry SPV I, LLC, as assignee of Capital One, N.A., <div style="text-align: center;">Plaintiff,</div> <div style="text-align: center;">-against-</div> SCOTT R WASHBURN, <div style="text-align: center;">Defendant(s).</div>	Index No. 800398/2025 EXEMPTION CLAIM FORM
NAME AND ADDRESS OF JUDGMENT CREDITOR OR ATTORNEY (to be completed by judgment creditor or attorney) (A) Portnoy Schneck, L.L.C. 22 Saw Mill River Rd, Ste 305 Hawthorne, NY 10532	NAME AND ADDRESS OF FINANCIAL INSTITUTION (to be completed by judgment creditor or attorney) (B) CITIZENS BANK FOUR GATEWAY CENTER, 444 LIBERTY AVE PITTSBURGH, PA 15222

Directions: To claim that some or all of the funds in your account are exempt, complete both copies of this form, and make one for yourself. Mail or deliver one form to Address (A) and one form to Address (B) within twenty days of the date on the envelope holding this notice. **If you have any documents, such as an award letter, an annual statement from your pension, paystubs, copies of checks or bank records showing the last two months of account activity, include copies of the documents with this form. Your account may be released more quickly.

- ☐ Social Security
- ☐ Social Security Disability (SSD)
- ☐ Supplemental Security Income (SSI)
- ☐ Public Assistance
- ☐ Wages while receiving SSI or public assistance
- ☐ Veterans Benefits
- ☐ Unemployment Insurance
- ☐ Payments from Pensions and Retirement Accounts
- ☐ Income earned in the last 60 days (90% of which is exempt)
- ☐ Child Support
- ☐ Spousal Support or Maintenance (Alimony)
- ☐ Worker's Compensation
- ☐ Railroad retirement or black lung benefits
- ☐ COVID-19 stimulus relief for individuals and families with children
- ☐ Other (describe exemption) _____

I state that my account contains the following type(s) of funds (check all that apply): I request that any correspondence to me regarding my claim be sent to the following address:

 (fill in your complete address)

I certify under penalty of perjury that the statement above is true to the best of my knowledge and belief.

DATE: _____ SIGNATURE OF JUDGMENT DEBTOR: _____

EXEMPTION NOTICE
As Required by New York Law

YOUR BANK ACCOUNT IS RESTRAINED OR "FROZEN"

The attached Restraining Notice or notice of Levy by Execution has been issued against your bank account. You are receiving this notice because a creditor has obtained a money judgment against you, and one or more of your bank accounts has been restrained to pay the judgment. A money judgment is a court's decision that you owe money to a creditor. You should be aware that FUTURE DEPOSITS into your account(s) might also be restrained if you do not respond to this notice.

You may be able to "vacate" (remove) the judgment. If the judgment is vacated, your bank account will be released. Consult an attorney (including free legal services) or visit the court clerk for more information about how to do this.

Under state and federal law, certain types of funds cannot be taken from your bank account to pay a judgment. Such money is said to be "exempt".

DOES YOUR BANK ACCOUNT CONTAIN ANY OF THE FOLLOWING TYPES OF FUNDS?

1. Social Security;
2. Social security disability (SSD);
3. Supplemental security income (SSI);
4. Public Assistance (welfare);
5. Income earned while receiving SSI or public assistance;
6. Veterans benefits;
7. Unemployment insurance
8. Payments from pensions and retirement accounts
9. Disability benefits;
10. Income earned in the last 60 days (90% of which is exempt);
11. Worker's compensation benefits;
12. Child support
13. Spousal support or maintenance (alimony);
14. Railroad retirement; and/or
15. Black lung benefits; and/or
16. COVID-19 stimulus relief for individuals and families with children.

If YES, you can claim that your money is exempt and cannot be taken. To make this claim, you must

- (a) complete the EXEMPTION CLAIM FORM attached;
- (b) deliver or mail the form to the bank with the restrained or "frozen" account; and
- (c) deliver or mail the form to the creditor or its attorney at the address listed on the form.

You must send the forms within 20 DAYS of the postmarked date on the envelope holding this notice. You may be able to get your account released faster if you send to the creditor or its attorney written proof that your money is exempt. Proof can include an award letter from the government, an annual statement from your pension, pay stubs, copies of checks, bank records showing the last two months of account activity, or other papers showing that the money in your bank account is exempt. If you send the creditor's attorney proof that the money in your account is exempt, the attorney must release that money within seven days. You do not need an attorney to make an exemption claim using the form.

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF ERIE Cavalry SPV I, LLC, as assignee of Capital One, N.A., <div style="text-align: right;">Plaintiff,</div> <div style="text-align: center;">-against-</div> SCOTT R WASHBURN, <div style="text-align: right;">Defendant(s).</div>	Index No. 800398/2025 EXEMPTION CLAIM FORM
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☐ Social Security Disability (SSD)
☐ Supplemental Security Income (SSI)
☐ Public Assistance
☐ Wages while receiving SSI or public assistance
☐ Veterans Benefits
☐ Unemployment Insurance
☐ Payments from Pensions and Retirement Accounts
☐ Income earned in the last 60 days (90% of which is exempt)
☐ Child Support
☐ Spousal Support or Maintenance (Alimony)
☐ Worker's Compensation
☐ Railroad retirement or black lung benefits
☐ COVID-19 stimulus relief for individuals and families with children
☐ Other (describe exemption) _____

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